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Attorneys for Defendants
SAFE HOME CONTROL, INC.,
MICHAEL BIRCHALL, TREVYN
SMITH, and ERICA SMITH

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

ALERT HOLDINGS GROUP, INC. dba)	CIVIL NO. 1:18-cv-00391 KJM
ALERT ALARM HAWAII)	
)	SUGGESTION OF DEATH OF
Plaintiff,)	DEFENDANT TREVYN
)	SMITH; DECLARATION OF
vs.)	GREGORY W. KUGLE
)	
TREVYN SMITH; SAFE HOME)	

CONTROL, INC.; ERICA SMITH;)
MICHAEL BIRCHALL; JOHN AND)
JANE DOES 1-20, DOE)
PARTNERSHIPS 1-20, DOE)
CORPORATIONS 1-20, DOE LLCs 1-)
20, DOE GOVERNMENTAL UNITS 1-)
20, and DOE ENTITIES 1-20,)

Defendants.)
_____)

SAFE HOME CONTROL, INC.;)
TREVYN SMITH; and ERICA SMITH,)

Counterclaim Plaintiffs,)

vs.)

ALERT HOLDINGS GROUP, INC. dba)
ALERT ALARM HAWAII; ROGER)
SAVAGE; and JOHN CANNON,)

Counterclaim Defendants.)
_____)

Trial Date: April 21, 2020
Trial Judge: Hon. K. Mansfield

**SUGGESTION OF DEATH OF
DEFENDANT TREVYN SMITH**

In accordance with Rule 25(a) of the Federal Rules of Civil Procedure,
Defendants SAFE HOME CONTROL, INC., TREVYN SMITH, ERICA SMITH,
and MICHAEL BIRCHALL, by and through their attorneys, DAMON KEY
LEONG KUPCHAK HASTERT and HATCH JAMES & DODGE, P.C., hereby

suggest the death of Defendant TREVYN SMITH during the pendency of this action.

DATED: Honolulu, Hawai‘i, September 20, 2019.

DAMON KEY LEONG KUPCHAK HASTERT

/s/ Gregory W. Kugle

GREGORY W. KUGLE

VERONICA A. NORDYKE

Attorneys for Defendants

SAFE HOME CONTROL, INC., MICHAEL
BIRCHALL, TREVYN SMITH, and ERICA
SMITH

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

ALERT HOLDINGS GROUP, INC. dba) CIVIL NO. 1:18-cv-00391 KJM

ALERT ALARM HAWAII)

Plaintiff,)

vs.)

TREVYN SMITH; SAFE HOME)

CONTROL, INC.; ERICA SMITH;)

MICHAEL BIRCHALL; JOHN AND)

JANE DOES 1-20, DOE)

PARTNERSHIPS 1-20, DOE)

CORPORATIONS 1-20, DOE LLCs 1-)

20, DOE GOVERNMENTAL UNITS 1-)

20, and DOE ENTITIES 1-20,)

Defendants.)

SAFE HOME CONTROL, INC.;)

TREVYN SMITH; and ERICA SMITH,)

Counterclaim Plaintiffs,)

vs.)

ALERT HOLDINGS GROUP, INC. dba)

ALERT ALARM HAWAII; ROGER)

SAVAGE; and JOHN CANNON,)

Counterclaim Defendants.)

**DECLARATION OF
GREGORY W. KUGLE**

Trial Date: April 21, 2020

Trial Judge: Hon. K. Mansfield

DECLARATION OF GREGORY W. KUGLE

I, GREGORY W. KUGLE, declare as follows:

1. I am an attorney with the law firm of Damon Key Leong Kupchak Hastert, counsel of record for Defendants SAFE HOME CONTROL, INC., TREVYN SMITH, ERICA SMITH, and MICHAEL BIRCHALL, and am duly licensed to practice in all courts in the State of Hawai`i.

2. I make this Declaration based on my personal knowledge, unless otherwise indicated, and I am competent to testify to the matters contained herein.

3. I received information that Mr. Trevyn Smith died in early July 2019.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 20th day of September, 2019, at Honolulu, Hawai`i.

/s/ Gregory W. Kugle
GREGORY W. KUGLE